

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DONALD E. MORISKY,

Plaintiff,

v.

MMAS RESEARCH LLC, et al.,

Defendants.

CASE NO. 2:21-CV-1301-RSM-DWC

ORDER DIRECTING PLAINTIFF TO
PROVIDE ADDITIONAL
DISCOVERY INFORMATION

Currently before the Court is Plaintiff Donald E. Morisky's Renewed Motion for Sanctions. Dkt. 233. After consideration of the relevant record, the Court finds Plaintiff has not been provided with all the necessary discovery to litigate this case. For example, evidence shows Defendant Steven Trubow destroyed a laptop that contained 200 licensee and settlement agreements relevant to this case. There is no evidence Plaintiff has been able to obtain all 200 or more agreements. Additionally, it does not appear Trubow has produced *all* financial records and bank records to Plaintiff.

The Court also recognizes that Plaintiff's counsel may have not reviewed documents produced by Defendants in November of 2023. *See* Dkt. 243, Austin Dec. Further, after filing the

1 Motion, Plaintiff's counsel, F. Christopher Austin, received a renewed link to a Dropbox that
2 may contain relevant documents. *See* Dkt. 240, Gross Dec.; Dkt. 243, Austin Dec. The
3 documents produced in November of 2023 and again in May of 2024 may contain records that
4 Plaintiff believes have not been produced.

5 Accordingly, the Court directs Plaintiff to review the evidence that has been obtained in
6 this case. Plaintiff is ordered to provide a detailed list of items Plaintiff asserts Defendants have
7 failed to produce and Plaintiff has been unable to obtain through other sources. The list should
8 also include discovery requests that Defendants have failed to respond or responded to
9 improperly.

10 Plaintiff should provide this list to the Court on or before July 15, 2024.

11 The Clerk is directed to re-note the Motion (Dkt. 233) to July 15, 2024.

12 Dated this 3rd day of July, 2024.

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15 David W. Christel
16 United States Magistrate Judge
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